IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE K.R.UDAYABHANU

WEDNESDAY, THE 21ST FEBRUARY 2007 / 2ND PHALGUNA 1928

Crl.Rev.Pet.No. 786 of 2007()

CRA.410/2004 of ADDL. SESSIONS (FAST TRACK) COURT -II, PALAKKAD
ST.18/2000 of CHIEF JUDICIAL MAGISTRATE COURT, PALAKKAD

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REVN. PETITIONER: APPELLANT/ACCUSED:

S. SUDIN,
"SRUTHI", PRESENTLY EMPLOYED AT PORT BLAIR AND
PERMANENTLY RESIDING AT LARY BAKERS HOUSING COLONY
AVANAVANCHERRY POST, ATTINGAL,THIRUVANANTHAPURAM.

BY ADV. SRI. MANOJ R. NAIR

RESPONDENTS: RESPONDENTS/COMPLAINANT & STATE:

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1. REMYA ADVERTISING,
REPRESENTED BY ITS MANAGING PARTNER,SUNDAR KUMAR,
S/O. PANKAJAKSHAN NAIR, METTUPALAYAM STREET,
PALAKKAD.

2. STATE OF KERALA,
REPRESENTED BY THE PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, ERNAKULAM.

BY ADV. SRI. C.M. KAMAPPU, PUBLIC PROSECUTOR

THIS CRIMINAL REVISION PETITION HAVING COME UP FOR ADMISSION ON 21/02/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

K.R. UDAYABHANU, J

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CRL. R.P. NO. 786 OF 2007

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Dated this the 7th day of February 2007

O R D E R

The revision petitioner stands convicted for the offence under section 138 of the Negotiable Instruments Act and sentenced to undergo simple imprisonment for three months and to pay a fine of Rs. 25,000/- and in default to undergo simple imprisonment for three months more. Out of the fine amount, Rs. 23,000/- will be paid to the complainant.

2. The revision petitioner has sought for modification of sentence and for time to make the payment. In the circumstances, sentence is modified to imprisonment till rising of the court and to pay a compensation of Rs.23,000/- vide section 357(3) Cr.P.C and in default to undergo simple imprisonment for two months. The revision petitioner is granted two months time from today onwards to make the payment. The revision petitioner shall appear before Chief Judicial Magistrate, Palakkad on 23.04.2007 to receive sentence.

The Crl. R.P is disposed of accordingly.

K.R. UDAYABHANU, JUDGE.

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